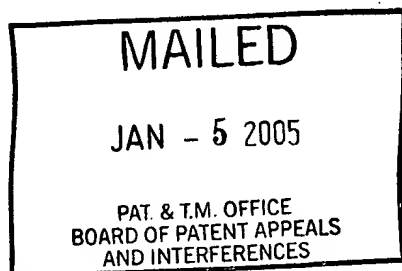




## UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES  
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Judge Sally C. Medley  
Telephone: 571-272-9797  
Facsimile: 571-273-0042



Applicants: TEMPLE  
Application No.: 08/536,345  
Filed: 09/29/95  
For: Multi-channel array droplet deposition apparatus

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,282.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

A handwritten signature in cursive script, reading "Sally C. Medley", written over a horizontal line.  
SALLY C. MEDLEY  
Administrative Patent Judge

Filed by: Sally C. Medley  
Administrative Patent Judge  
Mail Stop Interference  
P.O. Box 1450  
Alexandria Va 22313-1450  
Tel: 571-272-9797  
Fax: 571-273-0042

Filed:  
5 January 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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HILARION BRAUN  
Junior Party  
(Patent 5,598,196),

v.

STEPHEN TEMPLE and MARK R. SHEPHERD  
Senior Party  
(Application 08/536,345).

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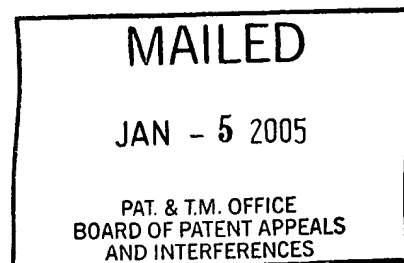
Patent Interference No. 105,282

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**DECLARATION-Bd.R. 203(d)**

**Part A. Declaration of interference**

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this DECLARATION.



### **Part B. Judge managing the interference**

Administrative Patent Judge Sally C. Medley has been designated to manage the interference. 37 CFR § 41.104(a) [Bd. R. 104(a)].

### **Part C. Standing order**

A Trial Section STANDING ORDER [SO] accompanies this DECLARATION. The STANDING ORDER applies to this interference.

The Board is conducting a DVD pilot project. A copy of the procedure is attached to this order.

### **Part D. Initial conference call**

A telephone conference call to discuss the interference is set for **1:30 p.m. on 2 March 2005** (the Board will initiate the call).

No later than **two business days** prior to the conference call, each party shall file and serve by facsimile (SO ¶ 4.5) a list of the motions (Bd. R. 120; Bd. R. 204; SO ¶ 26) the party intends to file.

A sample schedule for taking action during the motion phase appears as Form 2 in the STANDING ORDER<sup>1</sup>. Counsel are encouraged to discuss the schedule prior to the conference call and to agree on dates for taking action. A typical motion period lasts approximately eight (8) months. Counsel should be prepared to justify any request for a shorter or longer period.

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<sup>1</sup> Default times for time periods 1-10 are attached.

The Board is conducting an electronic filing pilot project. A copy of the procedure is attached to this order. Counsel should be prepared to discuss participation in the pilot project.

**Part E. Identification and order of the parties**

Junior Party

Named inventor: Hilarion Braun, Beaver Creek, Ohio

Patent: 5,598,196, granted 28 January 1997, based on application 07/871,775, filed 21 April 1992

Title: Piezoelectric ink jet print head and method of making

Assignee: Eastman Kodak Company

Accorded Benefit: None

Senior Party

Named Inventors: Stephen Temple, Cambridge, United Kingdom  
Mark R. Shepherd, Royston, United Kingdom

Application: 08/536,345, filed 29 September 1995

Title: Multi-channel array droplet deposition apparatus

Assignee: XAAR Technology Limited

Accorded Benefit: 08/167,894, filed 15 February 1994, now patent 5,463,414, granted 31 October 1995.

PCT/GB92/01085, filed 17 June 1992

UK 9113023.7, filed 17 June 1991

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1). The senior party is responsible for initiating settlement discussions. SO ¶ 18.

**Part F. Count and claims of the parties**

**Count 1**

**Claim 1 of Braun patent 5,598,196**

**or**

**Claim 67 of Temple application 08/536,345**

**The claims of the parties are:**

**Braun: 1-13**

**Temple: 20-45 and 59-74**

**The claims of the parties which correspond to Count 1 are:**

~~Braun: 1-3, 6, 8-10 and 12~~

**Temple: 20, 25, 26, 33-36, 38-41, 43, 45 and 59-74**

~~The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:~~

**Braun: 4, 5, 7, 11 and 13**

**Temple: 21-24, 27-32, 37, 42 and 44**

**Part G. Heading to be used on papers**

The heading in SO Form 1 must be used on all papers filed in this interference.

See SO ¶ 7.2.1. The administrative patent judge and parties must be indicated as follows:

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
(Administrative Patent Judge Sally C. Medley)

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HILARION BRAUN  
Junior Party  
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v.

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Senior Party  
(Application 08/536,345).

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Patent Interference No. 105,282

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## Part H. Order form for requesting file copies

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Part E of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

  
Sally C. Medley  
Administrative Patent Judge

Enc:

Copy of STANDING ORDER  
Form PTO-850 and examiner's write-up  
Copy U.S. Patent 5,598,196  
Copy of claims of application 08/536,345  
Copy of default times for time periods 1-10  
Copy of e-filing pilot project order  
Copy of DVD pilot project order

Revised September 2004

cc (via overnight delivery):

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